

“(B) there is no single venture capital operating company that owns 50 percent or more of the business concern; and

“(C) there is no single venture capital operating company the employees of which constitute a majority of the board of directors of the business concern.

“(4) If a venture capital operating company controlled by a business with more than 500 employees (in this paragraph referred to as a ‘VCO under large business control’) has an ownership interest in a business concern that is owned in majority part by venture capital operating companies, the business concern is eligible to receive an award under the SBIR or STTR program only if—

“(A) not more than two VCOs under large business control have an ownership interest in the business concern; and

“(B) the VCOs under large business control do not collectively own more than 20 percent of the business concern.

“(5) The term ‘venture capital operating company’ means a business concern—

“(A) that—

“(i) is a venture capital operating company, as that term is defined in regulations promulgated by the Secretary of Labor; or

“(ii) is an entity that—

“(I) is registered under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.); or

“(II) is an investment company, as defined in section 3(a)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-3), that is not registered under such Act because of an exemption under paragraph (1) or (7) of section 3(c) of such Act; and

“(B) that is organized or incorporated and domiciled in the United States, or controlled by a business concern that is incorporated and domiciled in the United States.”.

**SA 291.** Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. The Continuing Appropriations Act, 2011 (Public Law 111-242) is further amended—

(1) by striking the date specified in section 106(3) and inserting “April 15, 2011”;

(2) by adding after section 294, as added by the Additional Continuing Appropriations Amendments, 2011 (section 1 of Public Law 112-6), the following new sections:

“SEC. 295. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Office of the Secretary—Transportation Planning, Research, and Development’ at a rate for operations of \$9,800,000.

“SEC. 296. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Aviation Administration—Facilities and Equipment’ at a rate for operations of \$2,927,500,000.

“SEC. 297. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Aviation Administration—Research, Engineering, and Development’ at a rate for operations of \$187,000,000.

“SEC. 298. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service’ at a rate for operations of \$1,000,000,000.

“SEC. 299. Notwithstanding section 101, amounts are provided for ‘Department of

Transportation—Federal Railroad Administration—Railroad Research and Development’ at a rate for operations of \$35,100,000.

“SEC. 300. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Transit Administration—Capital Investment Grants’ at a rate for operations of \$1,720,000,000.

“SEC. 301. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Transit Administration—Research and University Research Centers’ at a rate for operations of \$64,200,000.

“SEC. 302. Notwithstanding section 101, amounts are provided for ‘Department of Housing and Urban Development—Public and Indian Housing—Public Housing Operating Fund’ at a rate for operations of \$4,626,000,000.

“SEC. 303. Notwithstanding sections 101 and 226, amounts are provided for ‘Department of Housing and Urban Development—Community Planning and Development—Community Development Fund’ at a rate for operations of \$4,230,068,480, of which \$0 shall be for grants for the Economic Development Initiative (EDI), \$0 shall be for neighborhood initiatives, and \$0 shall be for grants specified in the last proviso of the last paragraph under such heading in title II of division A of Public Law 111-117: *Provided*, That the second and third paragraphs under such heading in title II of division A of Public Law 111-117 shall not apply to funds appropriated by this Act.”.

This Act may be cited as the “Further Additional Continuing Appropriations Amendments, 2011”.

#### NOTICE OF HEARING

##### COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 14, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct a hearing on S. 636, a bill to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; S. 703, the Helping Expedite and Advance Responsible Tribal Homeownership Act of 2011; and S. 546, the Little Shell Tribe of Chippewa Indians Restoration Act of 2011.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that on Tuesday April 12, 2011, at 11 a.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 45 and 46; that there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of time, Calendar No. 45 be confirmed, and the Senate proceed to vote, without intervening action or debate, on Calendar No. 46; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements be printed in the RECORD; that the President be immediately notified of the Senate’s action,

and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEASURE READ THE FIRST TIME—S. 783

Mr. DURBIN. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 783) to provide an extension of time for filing individual income tax returns in the case of a Federal Government shutdown.

Mr. DURBIN. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provision of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read the second time on the next legislative day.

#### SIGNING AUTHORITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate majority whip be authorized to sign duly enrolled bills or joint resolutions on Friday, April 8, and Saturday, April 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR TUESDAY, APRIL 12, 2011

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half; further, at 11 a.m., the Senate proceed to executive session to consider Calendar No. 45, the nomination of Vincent Briccetti, of New York, to be U.S. District Judge for the Southern District of New York, and Calendar No. 46, the nomination of John Kronstadt, of California, to be U.S. District Judge for the Central District of California, as provided for under the previous order; finally, I ask unanimous consent that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.